



General Assembly

February Session, 2008

***Raised Bill No. 705***

LCO No. 3396

\*03396\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING THE EXECUTION OF WILLS AND CODICILS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 45a-251 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 A will or codicil shall not be valid to pass any property unless it is in  
4 writing, subscribed by the testator or subscribed in the testator's name  
5 by some other individual in the testator's conscious presence and by  
6 the testator's express direction and attested by two witnesses, each of  
7 them subscribing in the testator's presence; but any will executed  
8 according to the laws of the state or country where it was executed  
9 may be admitted to probate in this state and shall be effectual to pass  
10 any property of the testator situated in this state.

11 Sec. 2. Section 45a-258 of the general statutes is repealed and the  
12 following is substituted in lieu thereof (*Effective October 1, 2008*):

13 Every devise or bequest given in any will or codicil to a subscribing  
14 witness, [or to the husband or wife] the spouse of such subscribing  
15 witness, an individual at the request of the testator pursuant to section

16 45a-251, as amended by this act, or the spouse of such individual, shall  
17 be void unless such will or codicil is legally attested without the  
18 signature of such witness or individual, or unless such devisee or  
19 legatee is an heir to the testator. The competency of such witness or  
20 individual shall not be affected by any such devise or bequest. The  
21 interest of any witness or individual in any community, church,  
22 society, association or corporation, beneficially interested in any devise  
23 or bequest, shall not affect such devise or bequest or the competency of  
24 such witness or individual.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	45a-251
Sec. 2	<i>October 1, 2008</i>	45a-258

***Statement of Purpose:***

To provide for the execution of a will or codicil by an individual who is physically incapable of signing the will or codicil.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*